

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TORRANCE UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010100440

ORDER DENYING REQUEST FOR  
CONTINUANCE

On January 24, 2011, the parties filed a stipulated request for a continuance. Although this was the second request for a continuance, and the parties were requesting hearing dates almost eight months after the date the due process hearing request was filed, the parties did not provide any evidence that good cause existed for a further continuance of that length.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332 .) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

OAH has reviewed the request for good cause and the request is:

☒ Denied for failure to show good cause. All prehearing conference and hearing dates are confirmed and shall proceed as calendared.

IT IS SO ORDERED.

Dated: January 25, 2011

/s/

RICHARD T. BREEN

Presiding Administrative Law Judge (acting)  
Office of Administrative Hearings